

AMENDED IN ASSEMBLY MAY 18, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 234

Introduced by Assembly Member Huffman

February 5, 2009

An act to add Chapter 5.6 (commencing with Section 25460) to Division 15 of the Public Resources Code, relating to energy, *and declaring the urgency therefor, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 234, as amended, Huffman. Energy: water use and energy efficiency projects: federal stimulus funds.

Existing law establishes various programs to provide financial assistance to public and private entities to improve their energy efficiency.

This bill would require the State Energy Resources Conservation and Development Commission, as a part of the implementation of funding received under the federal American Recovery and Reinvestment Act of 2009 pursuant the federal State Energy Program and the federal Energy Efficiency and Conservation Block Grant Program, to coordinate with the Department of Water Resources and the State Water Resources Control Board to identify opportunities to fund energy efficiency actions that also may result in reduced water use. The bill would impose requirements for the commission's guidelines for disbursement of the

federal stimulus funds. The bill would require that water and energy efficiency programs and projects proceed only to the extent they do not impair the commission's ability to meet the federal deadlines for expenditure of federal stimulus funds provided by the act pursuant to the 2 specified federal programs.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5.6 (commencing with Section 25460)
2 is added to Division 15 of the Public Resources Code, to read:

3
4 CHAPTER 5.6. WATER USE AND ENERGY EFFICIENCY
5 ASSISTANCE
6

7 25460. The Legislature finds and declares all of the following:

8 (a) The commission is expected to receive hundreds of millions
9 of dollars from the federal American Recovery and Reinvestment
10 Act of 2009 (Public Law 111-5) for energy related activities
11 including energy efficiency programs and projects.

12 (b) Water use requires significant amounts of energy.
13 Approximately one-fifth of the electricity and one-third of the
14 nonpower plant natural gas consumed in the state are associated
15 with water delivery, treatment, and use.

16 (c) Greenhouse gas emissions can be reduced if we move, treat,
17 and use water more efficiently.

18 (d) The Public Utilities Commission and the commission have
19 researched the energy saving potential associated with water use
20 efficiency programs.

21 25460.5. For the purposes of this chapter, the following terms
22 have the following meaning:

23 (a) "Federal stimulus funds" means moneys received by the
24 state under the federal American Recovery and Reinvestment Act
25 of 2009 (Public Law 111-5), pursuant to the federal State Energy
26 Program and the federal Energy Efficiency and Conservation Block
27 Grant Program.

1 (b) “Local water supplier” means a local retail or wholesale
2 public agency or private company supplying or storing water, or
3 a mutual water company.

4 25461. (a) The Legislature, by enacting this chapter, intends
5 to establish guidance for implementation of federal stimulus funds,
6 in order to maximize the benefits and encourage the integration
7 of water and energy efficiency programs.

8 (b) As part of the administration of the federal stimulus funds
9 received by the commission, the commission shall coordinate with
10 the Department of Water Resources and the State Water Resources
11 Control Board to identify opportunities to fund energy efficiency
12 actions that also may result in reduced water use. Coordination
13 may include, but is not limited to, sharing information on areas to
14 target, prioritizing actions, and advising on implementation.

15 (c) To the extent authorized by federal law, the commission’s
16 guidelines for disbursement of the federal stimulus funds shall do
17 all of the following:

18 (1) Include both of the following as eligible projects:

19 (A) Water use efficiency and water recycling projects that also
20 provide energy savings. These projects may include, but shall not
21 be limited to, appliance and toilet retrofit and installation of
22 recycled water pipes for commercial, institutional, or industrial
23 water sectors.

24 (B) Job training programs, including, but not limited to, water
25 and energy efficiency training for plumbers.

26 (2) Include in the calculation of energy savings for water use
27 efficiency and recycling projects, the energy savings associated
28 with the reduced treatment, reduced distribution and pumping, and
29 reduced urban or agricultural use of water.

30 (3) Provide opportunities for water and energy efficiency
31 projects to be cost-shared with local water suppliers.

32 (4) Include local water suppliers as eligible applicants.

33 (d) Water and energy efficiency programs and projects shall
34 proceed only to the extent they do not impair the commission’s
35 ability to meet the federal deadlines for expenditure of federal
36 stimulus funds.

37 (e) This section applies only to federal stimulus funds received
38 under the federal American Recovery and Reinvestment Act of
39 2009 (Public Law 111-5), pursuant to the federal State Energy

1 Program and the federal Energy Efficiency and Conservation Block
2 Grant Program.

3 25462. This chapter does not imply that spending energy
4 efficiency funds on water efficiency programs should be done with
5 nonstimulus, ratepayer funds.

6 *SEC. 2. This act is an urgency statute necessary for the*
7 *immediate preservation of the public peace, health, or safety within*
8 *the meaning of Article IV of the Constitution and shall go into*
9 *immediate effect. The facts constituting the necessity are:*

10 *To expedite the use of federal stimulus funds received under the*
11 *American Recovery and Reinvestment Act of 2009 (Public Law*
12 *111-5) pursuant to the federal State Energy Program and the*
13 *federal Energy Efficiency and Conservation Block Grant Program*
14 *for energy efficiency actions that also may result in reduced water*
15 *use, and to maximize the benefits and encourage the integration*
16 *of water and energy efficiency programs for the protection of the*
17 *public health, safety, and the environment, it is necessary for this*
18 *measure to take effect immediately.*